

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 17, 2021

MEMO ENDORSED

BY ECF

The Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Luigi Alexander Hierro-Belen, a/k/a "Menor" and Darwin Hierro-Clase,
SI 21 Cr. 161 (CM)

Dear Chief Judge McMahon:

A status conference is scheduled in the above-captioned matter for May 19, 2021. The Government writes respectfully to request an approximately 30-day adjournment of the conference. The Government and defense counsel for both defendants have been engaged in productive discussions regarding possible pretrial resolution. With respect to defendant Hierro-Clase, the parties have reached an agreement for a pretrial disposition and are scheduling a change-of-plea conference before the Magistrate Judge. With respect to defendant Hierro-Belen, negotiations towards a possible pretrial resolution have progressed and the parties hope to reach an agreement within the next approximately 30 days. The adjournment is requested to permit parties additional time to complete the change-of-plea proceeding before the Magistrate Judge and for the parties to continue discussions and for defense counsel to advise the defendants regarding possible pretrial disposition, which communications are hampered in part by the limitations and restrictions on such communications caused by the COVID-19 pandemic.

In the event that the Court grants the requested adjournment, the Government respectfully requests that the Court exclude time under the Speedy Trial Act, from May 19, 2021 until such date as the conference is rescheduled for the reasons stated above. The Government submits that the ends of justice served by the continuance outweigh the best interests of the public and the defendants in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

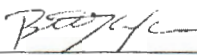
5/19/21
Case Adj AS to both defendants
to July 14, 2021 at 11:00 am -
time excluded through July 14,
in the interest of justice,
to facilitate
Plea discussions.

Colleen McMahon

I have communicated with defense counsel, Mr. Sporn for defendant Hierro-Clase and Mr. Silveri for defendant Hierro-Belen, who both consent to the adjournment and exclusion of time.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: 
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cc: Michael H. Sporn, Esq. (via ECF)
Jon Silveri, Esq. (via ECF)